

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA,

v.

KEVIN HOWARD, II,

Defendant.

CRIMINAL ACTION NO.
2:20cr11

TRANSCRIPT OF PROCEEDINGS
(EXCERPT OF ALLOCUTION)
Norfolk, Virginia

May 14, 2021

BEFORE: THE HONORABLE JOHN A. GIBNEY, JR.
United States District Judge

APPEARANCES:

UNITED STATES ATTORNEY'S OFFICE

By: Andrew C. Bosse
Assistant United States Attorney
Counsel for the United States

INVICTUS LAW

By: Shameka Christina Hankins
Counsel for the Defendant

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THE COURT: All right. Thank you very much.

Mr. Howard, if you would like to address me, now is the time for you to do that. Please come up to the podium and speak loud and clear, because I'm still wearing my hearing aids. So it's hard for me to hear.

You may leave your mask on or take it off.

THE DEFENDANT: Good morning, Mr. Gibney. I came by here, before your court in January, and you told me to write you a letter telling you about myself, so I did.

THE COURT: All right.

THE DEFENDANT: Good morning, Honorable Judge Gibney. First I would like to thank you for allowing me to address the Court.

I understand that in every crime there is a consequence, and I fully assume the responsibility for the position I played in the indicted crimes. There was no excuse for my behavior, and I intend to make none, none whatsoever. However, I would like to tell you a little about myself, and inform you on some of the things that I believe led to these crimes.

I'm originally from San Diego, California. My biological father was heavy into drugs and petty crimes, so my mother withdrew him out my life early for fear the negative impact it would have on me. At the age of 18, she

1 filled the role as both mother and father. As a single
2 mother working two, sometimes three jobs, she did the best
3 she could to teach me good morals, principles, and tried her
4 hardest to condition me as well. At home she provided me
5 with the outstanding role model who worked hard and strived
6 to achieve lifelong goals, but things started turning for
7 the worse when she married and uprooted me to Virginia in
8 the middle of my fourth grade year. Right away things
9 weren't good. Being the new big black kid in a
10 predominately white school, fitting in was really tough. We
11 all know how hard and brutal elementary school can sometimes
12 be. But forced with no choice and God's will, I made it
13 through. As I got older, I started having problems with
14 obesity. Food was my friend so, of course, I put on a few
15 pounds. With my height and weight, I was the easy target.
16 I was picked on, bullied, and ostracized by the majority of
17 my peers while the remaining half was too scared or simply
18 didn't want to be bothered with me. So needless to say, I
19 had no friends.

20 At an early age, I developed low self-esteem. I
21 was recently diagnosed and treated for depression. And I
22 feel like if I knew how to talk with someone back then, or
23 how to put my feelings into words, I could have been
24 diagnosed and treated, and maybe result in a different
25 mindset.

1 Later in life, I was manipulated and befriended by
2 criminals. I was preyed upon for my strong desire to fit
3 in, have friends, feel accepted, and feel wanted. This
4 later resulted in the crimes I committed. What was supposed
5 to be temporarily quickly started to become long term, and I
6 honestly wanted to get out, but I was in fear for my safety
7 due to my knowledge and the individuals that were involved.
8 I was no longer in control of my own life. I was used as a
9 pawn on a chessboard designed to take the fall.

10 I believe that God has a plan in the life of every
11 person we meet. Every situation we come across provides us
12 with something we need to learn from or experience.

13 For example, I learned to live. I learned to love
14 and put myself first, to stop seeking approval from everyone
15 and trying to fit in. Therefore, I don't regret my
16 behavior, for I'm more remorseful. Regret only attacks the
17 door of action, while remorse attacks the tendency to repeat
18 the action.

19 I learned one of the secrets in life is to use
20 every obstacle to your advantage, and that's what I've done.
21 I will continue to do that for the duration. That's what I
22 have done, and I will continue to do for the duration of
23 whatever time you impose on me and so forth thereafter.

24 I believe in some way this is all a blessing in
25 disguise. I'm finally free without harm from the

1 individuals earlier mentioned. I also believe my
2 incarceration was a sign from God telling me to take a
3 timeout and reevaluate my life, and to eliminate both
4 negative energy and people from my circle. I also learned
5 to be careful about the people I surround myself with, and
6 build a closer bond with the people who do matter, like my
7 Lord and Savior, my mother Darlene, and my fiance Kyra. I
8 see firsthand that my actions not only affect me, but also
9 affects my family and loved ones. My mother doesn't deserve
10 this. My mother always warned me about my so-called
11 friends. I'm sorry I didn't listen. I'm sad that I hurt
12 and disappointed her. This time around I'm taking heed to
13 every jewel she bestowed upon me. Mothers know best.

14 Mama, I love you. I'm going to come out a better
15 person, I promise you.

16 Your Honor, I would like to think I now have my
17 priorities in order, and I will continue to make progress by
18 discipline and educating myself. I will use every day for
19 the remainder of my sentence to rehabilitate -- to
20 rehabilitate myself, and to ensure I will never be placed in
21 this position again.

22 I have lot to look forward to upon my release, one
23 of them being my lovely fiancée Kyra. From the start of
24 this whole ordeal, she's been by my side every step of the
25 way. She supported me emotionally, mentally, and

1 financially. I'm 35, and for the first time in life I have
2 found true love. I am deeply saddened that I left her out
3 there all alone. I look forward to the day I can be her
4 provider and protector again.

5 I yearn for the day I can rejoin society and
6 conduct myself like a normal law-abiding citizen, like my
7 mother taught me to be.

8 I'm not a monster, Your Honor. I have a huge
9 heart. I'd give you the shirt off my back in the middle of
10 the winter. I'm human. We all tend to make mistakes, some
11 tend to be bigger than others, but it's what we learn from
12 our mistakes that sets us apart, and I'm here today to tell
13 you that I learned a lot. With that being said, I stand
14 here totally earnestly and wholeheartedly pleading for your
15 mercy and leniency. I won't take up too much more of the
16 Court's time. I appreciate you allowing me to share.

17 THE COURT: All right. Thank you very much, sir.
18 I appreciate it.

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21 CERTIFICATION

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23 I certify that the foregoing is a correct transcript
24 from the record of proceedings in the above-entitled matter.
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_____/s/_____

Jill H. Trail

June 7, 2021